

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

December 11, 2013

**Elisabeth A. Shumaker
Clerk of Court**

JOHNSON & JOHNSON; ETHICON,
INC.,

Petitioners,

v.

No. 13-608
(D.C. No. 5:13-CV-00839-L)

TAMMY MCCAUGHTRY; LINDA
PANNONE; TERESA MITCHELL;
MICHELE MIXON; VIRGINIA
MOCKAITIS; GLENNA B. NEZ; FRANK
NEZ; ROSE NEZ; MABLE NOLEN;
SANTOS O'BRIEN; IRMA ONTIBEROS;
RAMESHA ORMAND; SUSAN ORR-
MITROS; LAURA OSTERLING; ANNE
OWEN; GERALD R. OWEN; DORTHY
MAE PACK; DEBORAH PARKS;
DONNA PARRIS; ASHLEY PARVIZI;
MARGARET PATNAUDE; LINDA
PAULK; MARY CONSTANCE
PAULSEN; BARBARA PERRIGUE;
COLEEN PERRY; PAMELA PERRY;
FRANKLIN BRUCE PERRY; CHERYL
PITMAN; ANGELA PITTS; DIANNE
PLUMMER-CHAMBERS; ELVIRA
POPKEN; MARIA PULIDO-MENDOZA;
MARGERET PYKA; JANETTE QUINN;
PAULA REES; BETTY REES; LATHA
REGHUNANTHAN; CAROL RICE;
MIRIAM RIVERA-AVILES; LOUISE
ROBERTS; MARY ROBINSON;
CYNTHIA RODRIGUEZ; BELIN
ROMERO; RAMONA RUFF; BRIAN
RUFF; YALONDA RUSSLER; JAMES
RUSSLER; SYLVIA SANCHEZ; VELMA

SANDOVAL; RAQUEL SANTIAGO-
CRUZ; KAREN SARVER,

Respondents.

ORDER

Before **HARTZ, O'BRIEN**, and **BACHARACH**, Circuit Judges.

This matter is before the court on the Defendants-Petitioners Johnson & Johnson and Ethicon, Inc.'s Petition for Permission to Appeal. The plaintiffs filed a response opposing the petition.

The defendants filed a motion seeking leave to file a reply brief, which included a proposed reply brief. The motion to file a reply brief is granted. The reply brief shall be filed as of the date it was received.

Upon consideration of the pleadings and the applicable law, the petition for permission to appeal is GRANTED.

Within 14 days of the date of this order, the petitioner shall pay the required appellate filing fees to the district court. *See* Fed. R. App. P. 5(d)(1). Once the fees have been paid, the clerk of the district court shall notify this court. At that time, a new appeal number will be assigned, and the appeal shall be entered on this court's docket. *See id.* 5(d)(3). The date of this order shall be deemed the date for filing the notice of appeal. *See id.* 5(d)(2).

The parties will be advised of scheduling matters once the new appeal has been opened.

Entered for the Court

A handwritten signature in black ink, reading "Elisabeth A. Shumaker". The signature is written in a cursive style with a long, sweeping horizontal line extending to the right.

ELISABETH A. SHUMAKER, Clerk